

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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Colony Capital, Inc.,

Plaintiff,

—v—

James F. Flaherty, III,

Defendant.

21-cv-4645 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On August 4, 2021, Defendant file a letter, Dkt. No. 41, requesting that Plaintiff's motion for summary judgment filed on August 2, 2021, Dkt. No. 38, be held in abeyance until the Court resolves Defendant's pending motion to dismiss, Dkt. No. 27. Plaintiff filed a timely response to Defendant's letter on August 13, 2021, in which Plaintiff requested that this Court decide both motions "simultaneously." Dkt. No. 43.

The Court administratively DENIES Plaintiff's motion for summary judgment with leave to refile the motion pending the Court's resolution of the motion to dismiss. This resolves docket numbers 38 and 41.

SO ORDERED.

Dated: August 16, 2021
New York, New York

ALISON J. NATHAN
United States District Judge

